

State of California  
Business, Transportation and Housing Agency  
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS  
Resolutions of Necessity  
Action Item

Prepared By:  
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CTC Meeting: January 23-24, 2002

Agenda Item: 2.4b.

Original signed by  
ROBERT L. GARCIA  
Chief Financial Officer  
January 2, 2002

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18422 through C-18436. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18422 - P.D.S. Group, a Limited Partnership

06-Fre-180-KP R100.0- Parcel 84399 – EA 342422 (Freeway) Authorizes condemnation of interests relating to damages to the remainder parcel of land located in the city of Fresno, California at 5273 East Harvey Avenue.

C-18423 - EJM Development Company

07-Ven-101-KP 37.5 - Parcels 76739 – EA 060739 (Freeway) Authorizes condemnation of a permanent easement for slope purposes, located in the city of Ventura at the 101 Freeway and Johnson Drive.

C-18424 - Louis Chagoya, et ux

08-SBd-30/210-PM R21.40 - Parcel 14288-1 and 14288-01-01 – EA 444029 (Freeway) Authorizes condemnation of land in fee for a State highway and land in fee which is a remnant and would have little market value, located in the city of San Bernardino at 2550 Madison Street.

C-18425 - Phillip J. Robinson, et al

08-SBd-210-R25.19(KP) - Parcel 18716-1 – EA 443729 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Rialto at Highland Avenue and Eastern Street.

C-18426 - Gustavo Theisen, et ux

08-SBd-210-R27.5 - Parcel 18487-1 – EA 443829 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Rialto at the northeast corner of Linden Avenue and Casmalia Street.

C-18427 - Richland Associates, L.P.

08-SBd-210-R27.9 - Parcel 18309-1 – EA 443829 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Rialto at the southeast corner of Cedar Avenue and Casmalia Street.

C-18428 - Elizabeth Steinlauf, et al

08-SBd-210-R27.50 - Parcel 18266-1, 2 – EA 443829 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Rialto at the southeast corner of Highland Avenue and Linden Avenue.

C-18429 - County of San Bernardino

08-SBd-210-R25.19 - Parcel 15461 – EA 443729 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Rialto at north side of Highland Avenue between Palmetto Avenue and Alder Avenue.

C-18430 - F.J.A. Winery, Inc.

08-SBd-210-R25.8/R25.9 - Parcel 15444-1 and 15445-1, 2, 3 – EA 443719 (Freeway) Amends Resolution No. C-18398, adopted December 12, 2001, which authorized condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, located in the city of Rialto at the southeast corner of Highland Avenue and Alder Avenue. This Amendment adds Subparcel No. 15445-3, a permanent easement for utility purposes.

C-18431 - Brooks H. Dunlap, et ux

11-SD-52-K.P. 25.2- Parcel 27023 – EA 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of Santee at 9424 Via Zapador.

C-18432 - Roger H. Hall, et ux

11-SD-52-KP 25.6-25.8- Parcel 27029, 31478 – EA 010612 (Freeway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of Santee at 8714 Cuyamaca Street (27029); and 9701-9703 Airport Vista Road (31478).

C-18433 - S.K. Madan, et ux

11-Imp-111-KP 27.5- Parcel 31257-1, 2, 3 – EA 199349 (Expressway) Amends Resolution No. C-18181, adopted December 06, 2000, which authorized condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, and a permanent easement for sump and pump purposes, located near the city of El Centro from Robinson Road to Keystone Road. This amendment will add a Temporary Construction Easement for construction purposes.

C-18434 - Jack Vincent Hannon, et al, Trustees

11-Imp-111-KP 29.6-31.1- Parcel 31425, 31426, 32621 – EA 199369 (Expressway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for highway construction, located near the city of Brawley at 4002 State Highway 111.

C-18435 - Steven Richard Marovich

11-SD-76-KP 55.2- Parcel 32169-A, B – EA 079102 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, located in the city of Pauma Valley at 32266 Rincon Ranch Road.

C-18436 - Scott B. Chasin

11-SD-76-KP 55.3- Parcel 32170-A, B, C – EA 079102 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, land in fee which is a remnant and would have little market value, and a permanent easement for utility purposes located in the unincorporated area of Pauma Valley near the Northeast corner of Rincon Rancho Road and State Highway 76.